

Senate Bill 221

By: Senators Bulloch of the 11th, Tolleson of the 20th, Chance of the 16th, Meyer von Bremen of the 12th, Williams of the 19th and others

A BILL TO BE ENTITLED
AN ACT

1 To provide for regulation and permitting of land disposal sites that receive septic tank waste
2 and rules and regulations relating thereto; to amend Article 2 of Chapter 8 of Title 12 of the
3 Official Code of Georgia Annotated, relating to general provisions relative to solid waste
4 management, so as to change certain provisions relating to permits from the Department of
5 Natural Resources for land disposal sites that receive septic tank waste and rules and
6 regulations relating thereto; to amend Chapter 2 of Title 31 of the Official Code of Georgia
7 Annotated, relating to the Department of Human Resources, so as to change certain
8 provisions relating to permits from the Department of Human Resources for land disposal
9 sites that receive septic tank waste and rules and regulations relating thereto; to provide an
10 effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to
14 general provisions relative to solid waste management, is amended by revising Code Section
15 12-8-41, relating to permits from the Department of Natural Resources for land disposal sites
16 that receive certain septic tank waste and rules and regulations relating thereto, as follows:

17 "12-8-41.

18 The department shall provide by rule or regulation for the regulation and permitting of any
19 land disposal site that receives septic tank waste from ~~more than one~~ any one or more
20 septic tank pumping and hauling ~~business~~ businesses; ~~provided, however, that no such~~
21 ~~permit shall be issued except on the written approval of the governing authority of each~~
22 ~~county in which such site is wholly or partially located; provided, further, that no such~~
23 ~~approval shall be required if such site was in operation as of July 1, 2002. No such site~~
24 ~~which was not in operation on January 1, 2002, shall receive septic tank waste on or after~~
25 ~~July 1, 2002, unless a permit has been issued by the department. Any new permit issued~~
26 for such type of site on or after July 1, 2007, shall be issued by the department under this

1 Code section. Any such type of site that as of June 30, 2007, operated under a valid permit
2 issued on or before such date by the Department of Human Resources under Code Section
3 31-2-8 may continue to operate under such Code section until July 1, 2012, but a permit
4 shall be obtained from the department under this Code section prior to such date in order
5 to continue such operation thereafter."

6 **SECTION 2.**

7 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department
8 of Human Resources, is amended by revising Code Section 31-2-8, relating to permits from
9 the Department of Human Resources for land disposal sites that receive certain septic tank
10 waste and rules and regulations relating thereto, as follows:

11 "31-2-8.

12 ~~The~~ Until July 1, 2012, the department shall provide by rule or regulation for the regulation
13 ~~and permitting~~ of any land disposal site that receives septic tank waste from only one septic
14 tank pumping and hauling business and which as of June 30, 2007, operated under a valid
15 permit for such activity as issued by the department under this Code section, ~~provided,~~
16 ~~however, that no such permit shall be issued except on the written approval of the~~
17 ~~governing authority of each county in which such site is wholly or partially located. No~~
18 ~~such site which was not in operation on January 1, 2002, shall receive septic tank waste on~~
19 ~~or after July 1, 2002, unless a permit has been issued by the department. No new permit~~
20 shall be issued by the department under this Code section for such type of site on or after
21 July 1, 2007, but instead any new permit issued for such type of site on or after such date
22 shall be issued by the Department of Natural Resources under Code Section 12-8-41. This
23 Code section shall stand repealed on July 1, 2012."

24 **SECTION 3.**

25 This Act shall become effective upon its approval by the Governor or upon its becoming law
26 without such approval.

27 **SECTION 4.**

28 All laws and parts of laws in conflict with this Act are repealed.